GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

MINES & MINERALS – Mining Lease for Dolomite over an extent of 10.117 ha in Sy. No.728 of Chandana (V), Yadiki (M), Ananthapur District held by M/s Krishna Minerals – Declared as lapsed - Orders – Issued.

INDUSTRIES & COMMERCE (M.II) DEPARTMENT

G.O.MS.No. 69 Dated:19.08.2015

Read the following:

1. G.O.Ms.No.272, Ind. & Com. (M-III) Dept., dt.04.08.1998.
2. From the Director of Mines & Geology's file bearing No.32529/ R3-1/2012, dt.01.05.2013.
3. Govt. Memo No.8215/M.III(1)/2013, Dt:13.05.2013.
4. Reply from M/s Krishna Minerals, dt.15.06.2013, dt.02.01.2015 and dt.27.01.2015.

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O R D E R :

In the reference first read above, Government have granted a Mining Lease for Dolomite over an extent of 10.117 ha in Sy. No.728 of Chandana (V), Yadiki (M), Ananthapur District in favour of M/s Krishna Minerals, for a period of 20 years.

2. In the reference second read above, the Director of Mines & Geology, Government of Andhra Pradesh, Hyderabad has submitted proposal for lapsing of the lease held by M/s Krishna Minerals under rule 28(1) of Mineral Concession Rules, 1960 as the lessee firm has committed the following breaches:

i. The lessee has not erected the boundary pillars in good order according to the demarcation shown in plan annexure to the lease deed. This is breach of covenant 2 of part (vii) of the lease deed executed by the lessee read with the condition under rule 27(1) (g) of MC Rules, 1960;

ii. The lessee is not conducting the mining operations systematically as per mining plan which is required under Rule-22 (A) and 45 (1a) of M.C. Rules, 1960.

iii. The lessee is not maintaining the register showing the production and dispatches of the minerals produced from the subject mining lease. This is breach under Rule 27(1)(i) of M.C Rule, 1960 and covenant 10 of part-VIII of lease deed.

iv. Not established the weighing machine in the mine site as required under rule-27(2) of MC Rule, 1960 and covenant 13 of part VII lease deed.

v. Not maintained sufficient security grounds around the old workings and not maintained sufficient fences. This is breach covenant 5 of part (vii) of lease deed executed by the lessee read with Rule 27 (2) (i) of M.C Rule, 196o.

vi. Not submitted mining scheme for next five years as required under rule 12(2) & (3) of MCD Rules, 1988 and under rule 22(5)(v) of MC Rules, 1960.

vii. Not submitted mine closure plan which is required under rule 23(A) & 23(B) of MCDR 1988 (both progressive and final mine closure) and under Rule 22(5)(v)(a) of MC Rules, 1960.

viii. Not submitted financial assurance for mine closure, which is required under rule 23(F) of MCDR 1988.

ix. Not paid the dead rent every year, which is required under rule 27 (I)(c) of MC Rules, 1960.

x. Not submitted pollution control board certificate.

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xi. The lessee is not operating the mine from 22.01.2003. This is breach to covenant 3 of part VII of lease deed executed by the lessee read with the condition under rule 27 (1) of MC rule, 1960.

3. Based on the above report of the Director of Mines & Geology, Hyderabad, a show cause notice was issued, in the reference 3rd read above, under rule 28 (1) of Mineral Concession Rules, 1960 to M/s Krishna Minerals, as to why the Mining Lease held by them shall not be declared as lapsed keeping in view above mentioned breach of conditions and submit his explanation/ representation within 15 days failing which it will be construed that they have no explanation/ representation on the action proposed and further action will be taken on the material available with the Government.

4. In the reference 4th read above, M/s Krishna Minerals submitted their explanation and requested the Government to drop further action in the matter.

5. Government after taking into consideration of the reply made in the reference 4th read above and after careful examination of the matter in consultation with the Director of Mines & Geology, Hyderabad, have arrived at a conclusion that the lease holder has not operated the mine since, 22.01.2003 in violation of Part-VII(3) of the lease deed and the explanation afforded by the lessee is not credible, since it does not convincingly explain the reasons for not operating the mine over (10) long years. Therefore, Government, hereby declare the Mining Lease held by M/s Krishna Minerals, for Dolomite, over an extent of 10.117 ha in Sy. No.728 of Chandana (V), Yadiki (M), Ananthapur District, as lapsed under Rule 27 (1) & 28 (1) of M.C Rules, 1960.

6. The Director of Mines & Geology, Govt., of A.P., Hyderabad shall take necessary action accordingly.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

S.S.RAWAT
SECRETARY TO GOVERNMENT

To
M/s Krishna Minerals,
Kristipadu (Village), Peddavadaguru (Mandal)
Ananthapur District (BY RPAD)
The Director of Mines & Geology, Govt. A.P.. Hyderabad (along with connected file)
Copy to:
The District Collector, Ananthapur Dist
The Assistant Director of Mines & Geology, Ananthapur.
The Secretary to Govt. of India, Ministry of Mines, Sastry Bhavan, New Delhi-110001.
The Controller General, Indian Bureau of Mines, Indira Bavan, Civil Lines, Nagpur.440001.
The Director General, Mines Safety, Dhanbad, Jarkand.
The Regional Controller of Mines, Koti, Hyderabad.
SF/SCs.(C.No.8215/M.II(1)/2013)

//FORWARDED :: BY ORDER//

SECTION OFFICER